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GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191				NGUYEN, TRAM HOANG
ART UNIT		PAPER NUMBER		
2818				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/711,640 Examiner TRAM H. NGUYEN	JAGANNATHAN ET AL. Art Unit 2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 June 2008.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 14-20 and 31-49 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 14-20 and 31-49 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 14-20, 31-49 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

Claims 14,33 and 42 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "a known voltage" (recited in line 11 of claim 14, line 14 of claim 33 and line 18 of claim 42) is found unclear because it is not defined in the pending specification; moreover, it is such a broad term for a person in the art would define what it means as well. Thereby rendering the scope of the claim(s) unascertainable.

The phrase "wherein the substrate contact one of" (recited in line 8 of claim 33 and line 12 of claim 42) is generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim 46 recites the limitation "wherein silicide" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

***Claims 14-17, 32 and 44-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Ma et al. (US 7,049,669; hereinafter Ma).***

Regarding **claim 14**, Fig. 3 of Ma discloses a semiconductor device, comprising:  
a substrate (1 and 30);  
a source (34) and a drain (8) arranged within the substrate (1 and 30); a gate (4) formed on the substrate (1 and 30) between the source (34) and drain (8); and  
a substrate contact (36) formed within the substrate (1 and 30) in electrical contact with the source (34), a bottom surface of the substrate contact (bottom of 36) contact being arranged over a portion of the substrate (lower portion of 30), the substrate contact (20) being arranged adjacent to a side of the source without an intervening shallow trench isolation structure.

In reference to the claim language referring to the function of the semiconductor device, intended use and other types of functional language must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In re Casey, 152 USPQ 235 (CCPA 1967); In re Otto, 136 USPQ 458,459 (CCPA 1963). In reference to the claim language pertaining to the “wherein little or no current flows through the substrate

contact, and wherein the substrate contact helps to keep an active region of the semiconductor device at a known voltage potential and acts as a collection source for stray currents”, the claiming of a new use, new function, or unknown property which is inherently present in the prior art does not necessarily make the claim patentable. (In re Best, 195 USPQ 430,433 (CCPA 1977) and In re Swinehart, 439 F. 2d 210, 169 USPQ 226 (CCPA 1971); please see MPEP § 2112). Since Ma shows all the features of the claimed invention, the “wherein little or no current flows through the substrate contact, and wherein the substrate contact helps to keep an active region of the semiconductor device at a known voltage potential and acts as a collection source for stray currents” is an inherent property of the Ma invention.

Regarding **claim 15**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above.

In reference to the claim language referring to the function of the substrate contact, intended use and other types of functional language must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In re Casey, 152 USPQ 235 (CCPA 1967); In re Otto, 136 USPQ 458,459 (CCPA 1963). In reference to the claim language pertaining to the “substrate contact being configured to shield the semiconductor device from electrical noise”, the claiming of a new use, new function, or unknown property which is inherently present in the prior art does not necessarily make the claim patentable. (In re Best, 195 USPQ 430,433 (CCPA 1977) and In re Swinehart,

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439 F. 2d 210, 169 USPQ 226 (CCPA 1971); please see MPEP § 2112). Since Ma shows all the features of the claimed invention, the “substrate contact being configured to shield the semiconductor device from electrical noise” is an inherent property of the Ma invention.

Regarding **claim 16**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 3 of Ma shows the substrate contact (36) being in direct physical contact with the source (34) of the semiconductor device.

Regarding **claim 17**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, Ma teaches the substrate contact (36) comprises a p+ region (see col. 4, line 39).

Regarding **claim 32**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 2 of Ma shows the semiconductor device comprises an FET prime cell.

Regarding **claim 44**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 3 of Ma shows the substrate contact (36) abuts the side of the source (34).

Regarding **claim 45**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above. As for the recitation “\*the source and the substrate are held at a same voltage potential”, it is drawn to a manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. Ex

Parte Masham, 2 USPQ F.2d 1647 (1987); See also In re Casey, 152 USPQ 235 (CCPA 1967); In re Otto, 136 USPQ 458, 459 (CCPA 1963).

***Claims 33-36, 40-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al. (US 6,624,030; hereinafter Chang).***

Regarding **claim 33**, Figs. 2-3 of Chang disclose a semiconductor device, comprising:

a substrate (20/22);

a source (24) and a drain (24) arranged within the substrate (20/22);

a gate (26) formed on the substrate (20/22) between the source (24) and the drain (24); and

a ring substrate contact (28) formed within the substrate (20/22) in electrical contact with the source (24) and a bottom surface of the ring substrate contact (28) being arranged over a portion of the substrate (20), wherein the ring substrate contact (sinker 28) one of abuts a side of the source (24) without an intervening shallow trench isolation structure, and is arranged adjacent to the side of the source (24) without an intervening shallow trench isolation structure(see fig. 2 of Chang).

In reference to the claim language referring to the function of the ring substrate contact, intended use and other types of functional language must result in a structural difference between the claimed invention and the prior art in order to patentably

distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. *In re Casey*, 152 USPQ 235 (CCPA 1967); *In re Otto*, 136 USPQ 458,459 (CCPA 1963). In reference to the claim language pertaining to “the substrate contact helps to keep an active region of the semiconductor device at a known voltage potential and acts as a collection source for stray currents”, the claiming of a new use, new function, or unknown property which is inherently present in the prior art does not necessarily make the claim patentable. (*In re Best*, 195 USPQ 430,433 (CCPA 1977) and *In re Swinehart*, 439 F. 2d 210, 169 USPQ 226 (CCPA 1971); please see MPEP § 2112). Since Chang shows all the features of the claimed invention, the “the substrate contact helps to keep an active region of the semiconductor device at a known voltage potential and acts as a collection source for stray currents” is an inherent property of the Chang invention.

Regarding **claim 34**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above.

In reference to the claim language referring to the function of the ring substrate contact, intended use and other types of functional language must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. *In re Casey*, 152 USPQ 235 (CCPA 1967); *In re Otto*, 136 USPQ 458,459 (CCPA 1963). In reference to the claim language pertaining to “the ring substrate contact is configured to shield the semiconductor device from electrical noise”, the claiming of a new use, new function, or

unknown property which is inherently present in the prior art does not necessarily make the claim patentable. (*In re Best*, 195 USPQ 430,433 (CCPA 1977) and *In re Swinehart*, 439 F. 2d 210, 169 USPQ 226 (CCPA 1971); please see MPEP § 2112). Since Ma shows all the features of the claimed invention, “the ring substrate contact is configured to shield the semiconductor device from electrical noise” is an inherent property of the Ma invention.

Regarding **claim 35**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above. Fig. 2 of Chang shows the ring substrate contact (28) is in direct physical contact with the source of the semiconductor device.

Regarding **claim 36**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above except for the ring substrate contact comprises a p+ region.

Fig. 2 of Ma shows a similar semiconductor device having the substrate contact (36) comprises a p+ region.

Thereof, it would have been obvious to one having ordinary skills in the art at the time the invention was made to modify the ring substrate contact of Chang to have a p+ region as taught by Ma because the highly p-type regions provide a relatively low resistance path for the photo-generated carriers to follow.

Regarding **claim 40**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 3 of Chang shows the semiconductor device comprises an FET prime cell.

Regarding **claim 41**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, Fig. 3 of Chang shows the ring substrate contact (refer to the guard ring 28) at least one of completely encircles an active region; almost completely encircles an active region; encircles three-quarters of an active region; and encircles half of an active region (see fig. 3).

Regarding **claim 42**, Figs. 2-3 of Chang disclose a semiconductor device, comprising:

a substrate (20/22);

a source (24) and a drain (24) arranged within the substrate (20/22);

a gate (26) formed on the substrate (20/22) between the source (24) and the drain (24); and

a substrate contact (28) formed within the substrate (20/22) in electrical contact with the source (24) and a bottom surface of the substrate contact (refer to the bottom of 28) being arranged over a portion of the substrate (20/22), the ring substrate contact (refer to the guard ring 28) at least one of completely encircling an active region; almost completely encircling an active region; encircling three-quarters of an active region; and encircling half of an active region (see fig. 3),

wherein the substrate contact (28 in fig. 2) one of:

abuts a side of the source (24) without an intervening shallow trench isolation structure (see fig. 2), and

is arranged adjacent to the side of the source (24) without an intervening shallow trench isolation structure (see fig. 2)

In reference to the claim language referring to the function of the semiconductor device, intended use and other types of functional language must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. *In re Casey*, 152 USPQ 235 (CCPA 1967); *In re Otto*, 136 USPQ 458,459 (CCPA 1963). In reference to the claim language pertaining to the “wherein the substrate contact helps to keep an active region of the semiconductor device at a known voltage potential and acts as a collection source for stray currents”, the claiming of a new use, new function, or unknown property which is inherently present in the prior art does not necessarily make the claim patentable. (*In re Best*, 195 USPQ 430,433 (CCPA 1977) and *In re Swinehart*, 439 F. 2d 210, 169 USPQ 226 (CCPA 1971); please see MPEP § 2112). Since Ma shows all the features of the claimed invention, the “wherein the substrate contact helps to keep an active region of the semiconductor device at a known voltage potential and acts as a collection source for stray currents” is an inherent property of the Chang invention.

Regarding **claim 43**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 3 of Chang shows the semiconductor device comprises an FET prime cell.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

***Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma as applied to claim 14 above, and further in view of Rice (US 4,738,936).***

Regarding **claim 18**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above except for the source comprises a source finger and the substrate contact abuts substantially all of one side of the source finger.

Fig. 1H of Rice has a similar structure (see col. 4, lines 36-38) having the source comprises a source finger (60) and the substrate contact (20) abuts all one side of the source finger (60) (col. 4, line 19).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have the source comprises a source finger and the substrate contact abuts substantially all of one side of the source finger as taught by Rice in the device of Ma in order to reduce expensive packaging techniques, further reduce output capacitance, and to reduce or eliminate junction capacitance (see Rice: co1.1, lines 56-59).

Regarding **claim 19**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above except for two source fingers arranged within substrate, wherein the substrate contact abuts two of the two source fingers.

Fig. 1H of Rice has a similar structure (see col. 4, lines 36-38) having two source fingers (refer to the upper portion and lower portion of left 60) arranged within substrate (10), wherein the substrate contact (20) abuts two of the two source fingers (60).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have the source comprises a source finger and the substrate contact abuts substantially all of one side of the source finger as taught by Rice in the device of Ma in order to reduce expensive packaging techniques, further reduce output capacitance, and to reduce or eliminate junction capacitance (see Rice: co1.1, lines 56-59).

***Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ma as applied to claim 14 above, and further in view of Herzum et al. (US 2004/0238871; hereinafter Herzum)***

Regarding **claim 20**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above except for the substrate contact comprises a p-type doped silicon tab contacting source and silicide layer on a top of the substrate contact.

Herzum has a similar structure wherein fig. 3 shows the substrate contact (reference numeral 12) comprises a p+-type doped silicon tab contacting source (reference numeral 14) and a silicide layer (reference numeral 52) on a top of the substrate contact (reference numeral 12). Therefore, it would have been obvious to one having ordinary skill in the art at the same time the invention was made to include the substrate contact comprises a p-type doped silicon tab contacting source and silicide layer on a top of the substrate contact as taught by Herzum in device of Ma so that it improves the ohmic contact (see Herzum: par.[0036]).

***Claim 31 is rejected under 35 U.S.C. 1 103(a) as being unpatentable over Ma as applied to claim 14 above, and further in view of Chang et al. (US 6,624,030; hereinafter Chang)***

Regarding **claim 31**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above except for the substrate contact at least one of completely encircles an active region; almost completely encircles an active region; encircles three-quarters of an active region; and encircles half of an active region.

Fig. 3 of Chang shows a similar semiconductor device having the substrate contact (refer to the guard ring 28) at least one of completely encircles an active region;

almost completely encircles an active region; encircles three-quarters of an active region; and encircles half of an active region (see fig. 3).

Thereof, it would have been obvious to one having ordinary skills in the art at the time the invention was made to have the substrate contact at least one of completely encircles an active region; almost completely encircles an active region; encircles three-quarters of an active region; and encircles half of an active region as taught by Chang in the device of Ma in order to increases current flow at a lower turn-on voltage (see col. 2, lines 30-33).

***Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang as applied to claim 33 above, and further in view of Rice (US 4,738,936).***

Regarding **claim 37**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above except for the source comprises a source finger and the ring substrate contact abuts substantially all of one side of the source finger.

Fig. 1H of Rice has a similar structure (see col. 4, lines 36-38) having the source comprises a source finger (60) and the substrate contact (20) abuts all one side of the source finger (60) (col. 4, line 19).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine Rice and Chang to include source comprises at least two source fingers arranged within the substrate, wherein the ring

substrate contact abuts two of the at least two source fingers in order to reduce expensive packaging techniques, further reduce output capacitance, and to reduce or eliminate junction capacitance (see Rice: co1.1, lines 56-59).

Regarding **claim 38**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above except for two source fingers arranged within substrate, wherein the ring substrate contact abuts two of the two source fingers

Fig. 1H of Rice teaches two source fingers (refer to the upper portion and lower portion of left 60) arranged within substrate (10), wherein the substrate (10) contact abuts two of the two source fingers (60).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine Rice and Chang to include two source fingers arranged within substrate, wherein the ring substrate contact abuts two of the two source fingers in order to reduce expensive packaging techniques, further reduce output capacitance, and to reduce or eliminate junction capacitance (see Rice: co1.1, lines 56-59).

***Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang as applied to claim 33 above, and further in view of Herzum et al. (US 2004/0238871; hereinafter Herzum)***

Regarding **claim 39**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above except for the ring substrate contact comprises

a p-type doped silicon tab contacting the source and further comprising a silicide layer arranged on top of the ring substrate contact.

Herzum has a similar structure wherein fig. 3 shows the substrate contact (reference numeral 12) comprises a p-type doped silicon tab contacting source (reference numeral 14) and a silicide layer (reference numeral 52) on a top of the substrate contact (reference numeral 12).

Therefore, it would have been obvious to one having ordinary skill in the art at the same time the invention was made to combine Herzum and Chang to have the ring substrate contact comprises a p-type doped silicon tab contacting the source and further comprising a silicide layer arranged on top of the ring substrate contact because of reducing the resistance.

***Claims 46-47 is rejected under 35 U.S.C.1 103(a) as being unpatentable over Ma as applied to claim 14 above, and further in view of Herzum et al. (US 2004/0238871; hereinafter Herzum)***

Regarding **claim 46**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above except for the substrate contact comprises a p+ contact arrange with an active region and wherein silicide provides electrical contact between the source and the active region.

Herzum has a similar structure wherein fig. 3 shows the substrate contact (reference numeral 12) comprises a p+ contact arrange with an active region (10) (see

par.[0035]) and wherein silicide (reference numeral 52) provides electrical contact between the source (14) and the active region (10).

Therefore, it would have been obvious to one having ordinary skill in the art at the same time the invention was made to include the substrate contact comprises a p+ contact arrange with an active region and wherein silicide provides electrical contact between the source and the active region as taught by Herzum in device of Ma so that it improve the ohmic contact (see par.[0036]).

Regarding **claim 47**, Ma discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 3 of Ma shows the source (34), the drain (8) and the substrate contact (36) are formed in the same substrate (1 and 30).

Ma fails to teach silicide arranged over the source and an active region of the semiconductor device and providing electrical contact between the source and the active region.

Fig. 3 of Herzum shows a similar semiconductor device structure including: silicide (52) arranged over the source (14) and an active region of the semiconductor device (10) and providing electrical contact between the source and the active region (see par. [0036]).

Therefore, it would have been obvious to one having ordinary skill in the art at the same time the invention was made to include the substrate contact comprises a p-type doped silicon tab contacting source and silicide layer on a top of the substrate

contact as taught by Herzum in device of Ma so that it improves the ohmic contact (see Herzum: par.[0036]).

***Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang as applied to claim 33 above, and further in view of Herzum et al. (US 2004/0238871; hereinafter Herzum)***

Regarding **claim 48**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 2 of Chang shows the source (24), the drain (24) and the substrate contact (28) are formed in the same substrate (20/22).

Chang fails to teach silicide arranged over the source and an active region of the semiconductor device and providing electrical contact between the source and the active region.

Fig. 3 of Herzum shows a similar semiconductor device structure including: silicide (52) arranged over the source (14) and an active region of the semiconductor device (10) and providing electrical contact between the source and the active region (see par. [0036]).

Therefore, it would have been obvious to one having ordinary skill in the art at the same time the invention was made to include the substrate contact comprises a p-type doped silicon tab contacting source and silicide layer on a top of the substrate contact as taught by Herzum in device of Chang so that it improves the ohmic contact (see Herzum: par.[0036]).

***Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang as applied to claim 42 above, and further in view of Herzum et al. (US 2004/0238871; hereinafter Herzum)***

Regarding **claim 49**, Chang discloses all the limitations of the claimed invention for the same reasons as set-forth above. Besides, fig. 2 of Chang shows the source (24), the drain (24) and the substrate contact (28) are formed in the same substrate (20/22).

Chang fails to teach silicide arranged over the source and an active region of the semiconductor device and providing electrical contact between the source and the active region.

Fig. 3 of Herzum shows a similar semiconductor device structure including: silicide (52) arranged over the source (14) and an active region of the semiconductor device (10) and providing electrical contact between the source and the active region (see par. [0036]).

Therefore, it would have been obvious to one having ordinary skill in the art at the same time the invention was made to include the substrate contact comprises a p-type doped silicon tab contacting source and silicide layer on a top of the substrate contact as taught by Herzum in device of Chang so that it improves the ohmic contact (see Herzum: par.[0036]).

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tram Hoang Nguyen whose telephone number is (571) 272-5526. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached on (703)872-9306. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Tram H Nguyen/  
Examiner, Art Unit 2818**

**/DAO H NGUYEN/  
Primary Examiner, Art Unit  
September 28, 2008**